

1 UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF TENNESSEE
3 NASHVILLE DIVISION

4 UNITED STATES OF AMERICA)
5 VS) No. 3:15-cr-0037-2
6 BENJAMIN EDWARD HENRY BRADLEY)

8 BEFORE THE HONORABLE E. CLIFTON KNOWLES, MAGISTRATE
9 JUDGE

10 **TRANSCRIPT OF ELECTRONIC RECORDING**

11 May 7, 2015

13 APPEARANCES:

14 For the Government: CECIL VanDEVENDER
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17 For the Defendant: JAMES MACKLER
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2 The above-styled cause came to be heard
3 on May 7, 2015, before the Hon. E. Clifton Knowles,
4 Magistrate Judge, when the following proceedings were
5 had to-wit:

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7 **TRANSCRIPT OF ELECTRONIC RECORDING**

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10 THE COURT: ...0037-2, *United States*
11 *versus Benjamin Edward Henry Bradley*. We're here for
12 a first appearance for Mr. Bradley in this court. As
13 I understand it, Mr. Bradley was indicted in this
14 district, was arrested in the Eastern District of
15 Michigan, had a detention hearing in the Eastern
16 District of Michigan and was ordered detained by the
17 judge up there, is that --

18 MR. VanDEVENDER: That's correct,
19 Your Honor.

20 MR. MACKLER: That's our understanding.

21 THE COURT: Thank you, Counsel.

22 Well, I will dispense with the discussion
23 of the charges against him. Mr. Bradley, have you
24 received a copy of the document called Important
25 Notice and Explanation of Rights and Proceedings?

1 THE DEFENDANT: Yes.

2 THE COURT: That document discusses some
3 important rights that you have. It also discusses
4 some of the proceedings that are likely to occur in
5 your case. I would encourage you to read that
6 document sometime when you have a chance, sir. If you
7 have any questions about the matters discussed in that
8 document, please ask your lawyer about your questions.

9 You do have some significant rights that
10 I want to emphasize for you this afternoon. First,
11 you have the right to counsel. You have a right to be
12 represented by a lawyer throughout these proceedings.
13 You have a right to a lawyer of your own choosing.
14 You may hire any lawyer who is authorized to practice
15 in this court, to represent you in this case.

16 If you cannot afford a lawyer, the court
17 can appoint one for you upon your request and upon
18 considering your financial circumstances, if it is
19 appropriate to do so. You have submitted a financial
20 affidavit, and I understand that you would like for me
21 to appoint a lawyer for you; is that right, sir?

22 THE DEFENDANT: Yes.

23 THE COURT: Raise your right hand,
24 please. Do you solemnly swear or affirm that the
25 statements you have made in the financial affidavit

1 you have submitted to the Court this afternoon are
2 true and correct to the best of your knowledge and
3 belief?

4 THE DEFENDANT: Yes.

5 THE COURT: I will appoint the Office of
6 the Federal Public Defender to represent you in this
7 case, and Mr. Mackler will be your panel attorney.

8 Mr. Bradley, you also have the right to
9 remain silent. You have a right not to make any
10 statement to any agent or representative of the
11 government. If you've already made a statement to an
12 agent or representative of the government, you need
13 not make any further statement.

14 If in the future you begin to make a
15 statement to an agent or representative of the
16 government, you may stop making that statement at any
17 point. If you do make a statement to an agent or
18 representative of the government, that statement can
19 and probably will be used against you.

20 Do you understand those rights, sir?

21 THE DEFENDANT: Yes.

22 THE COURT: Thank you, sir.

23 Mr. Mackler, would you like to go ahead
24 with the arraignment today?

25 MR. MACKLER: Yes, Your Honor.

1 THE COURT: All right. He has received a
2 copy of the indictment in the case?

3 MR. MACKLER: Yes, he has, Your Honor.

4 THE COURT: Would he waive formal
5 reading?

6 MR. MACKLER: Yes, Your Honor.

7 THE COURT: How does he plead?

8 MR. MACKLER: Not guilty.

9 THE COURT: The Court will accept the
10 plea of not guilty on behalf of the defendant Benjamin
11 Bradley to all counts of the indictment. And he will
12 remain detained, obviously.

13 Anything further on Mr. Bradley?

14 MR. VanDEVENDER: Not from the
15 government, Your Honor.

16 MR. MACKLER: Not from defense.

17 THE COURT: Thank you, Counsel. Court
18 will be in recess.

19 *****END OF ELECTRONIC RECORDING*****
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s/ Roxann Harkins
ROXANN HARKINS, RPR, CRR
Official Court Reporter